IN THE UNITED STATES DISTRICT COURT FOR FILED

THE WESTERN DISTRICT OF OKLAHOMA

JUL - 8 2013

CASEY BEVILLE,	ROBERT D. DENNIS, CLERK U.S. DIST. COURT, WESTERN DIST. OF OKLA
Plaintiff,	BY TULL DEPUTY
vs.) No. CIV-12-1361-W
VALLEYLAB, a division of COVIDIEN, INC., formerly TYCO HEALTHCARE GROUP, LP,)))
Defendant.)

ORDER

In light of the Response and Confession to Defendant's Motion for Summary Judgment [Doc. 31] filed by plaintiff Casey Beville on July 2, 2013, the Court directed the parties to confer and to advise the Court in writing

- (a) whether any pre-judgment issues remained for resolution in connection with Beville's claim of manufacturers' products liability against defendant Valleylab, a division of Covidien, Inc., formerly Tyco Healthcare Group, LP ("Valleylab"); and
- (b) if not,¹ whether ValleyLab's Motion for Summary Judgment may be granted and judgment entered in favor of Valleylab and against Beville.

Pursuant to the Court's Order, the parties have informed the Court that no prejudgment issues remain for resolution and that judgment may be granted in Valleylab's favor. See Doc. 33.

Accordingly, the Court

(1) GRANTS Valleylab's Motion for Summary Judgment [Doc. 28] filed on May 31,

¹If pre-judgment issues did remain, the parties were directed to identify those issues and advise the Court what further action, if any, was needed to resolve those issues.

2013; and

(2) ORDERS that judgment in favor of Valleylab and against Beville issue forthwith.

ENTERED this gth day of July, 2013.

ET R. WEST

UNITED STATES DISTRICT JUDGE